

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 25 FEET TO 13 FEET FOR A PROPOSED SCREEN ROOM IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (ANNABELLE SOUSA, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

**Agenda Date** 01-26-04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 25 FEET TO 13 FEET FOR A PROPOSED SCREEN ROOM IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (ANNABELLE SOUSA, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 25 FEET TO 13 FEET FOR A PROPOSED SCREEN ROOM IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (ANNABELLE SOUSA, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #2, Morris)

(Kathy Fall, Senior Planner)

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> ANNABELLE SOUSA <b>LOCATION:</b> 1231 MADELENA AVENUE <b>ZONING:</b> PUD (PLANNED UNIT DEVELOPMENT DISTRICT), SUNRISE
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT A 320 SF (33 FOOT X 10 FOOT) COVERED SCREEN ROOM, WHICH WOULD ENCROACH 12 FEET INTO THE 25 FOOT REAR YARD SETBACK.</li> <li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li> </ul>
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> <li>○ THERE ARE NO SPECIAL CONDITIONS PECULIAR TO THE LAND AND/OR BUILDING, WHICH COULD BE CONSTRUCTED TO COMPLY WITH THE APPLICABLE REAR YARD SETBACK STANDARD.</li> <li>○ THE GRANT OF THE REQUESTED VARIANCE WOULD BEGIN A TREND OF REAR YARD ENCROACHMENT</li> </ul> </li> </ul>

	<p>WITHOUT THE DEMONSTRATION OF A HARDSHIP.</p> <ul style="list-style-type: none"><li>○ THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED REAR YARD SETBACK VARIANCE.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED REAR YARD SETBACK VARIANCE, BASED ON THE STATED FINDINGS.</p> <p>IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED COVERED SCREEN ROOM AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>

COMMISSION DISTRICT #:

GUI  
PROJ. #

ZONED: PUD

SEC: 18

TWP: 21

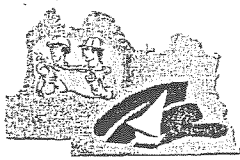
RNG: 31

<b>DEVELOPMENT:</b>		Sunrise Unit 2C				<b>DEVELOPER:</b>		Arden Group of Florida							
<b>LOCATION:</b>		38 Lots – 13.4551													
<b>FILE#:</b>				<b>BA:</b>				<b>SP:</b>				<b>BCC:</b>		7/13/83	
<b>P&amp;Z:</b>															
<b>PB</b>	28	<b>PG</b>	43	<b>Lot</b>		<b>Blk</b>		<b>Parcel</b>		<b>DBA</b>		<b>Comm Dist</b>			
<b>DEVEL. ORDER #:</b>								<b>TAX PAR. I.D. #:</b>							
<b>SIDEWALKS:</b>								<b>SETBACK REQUIREMENTS</b>							
								<b>FY:</b>	20'	<b>SIDE ST.:</b>		<b>SY:</b>	6'	<b>RY:</b>	25'
<b>ROAD TYPE:</b>								<b>MAIN STRUCTURE OTHER:</b> Minimum Lot Size: 6,800 sq. ft. Minimum Living Area: 900 sq. ft. Maximum Height: 35'							
<b>COMMENTS OTHER:</b> 1) Developer will plant minimum of 3 trees per lot, minimum of 6' in height and 2" in diameter 1' above ground.								<b>ACCESSORY STRUCTURE SETBACKS:</b>							
								<b>SY:</b>	6'	<b>RY:</b>	10'				
								<b>ACCESSORY STRUCTURE OTHER:</b>							

		<b>IMPACT FEES</b>	
		<b>SCREEN:</b>	
		<b>TRAFFIC ZONE:</b>	
		<b>LAND USE:</b>	
		1. ROAD-CO. WIDE	
		2. ROAD-COLL.	
		3. LIBRARY	
		4. FIRE	\$10.00
		5. PARK	
		6. SCHOOL	\$300.00
		7. LAW	
		8. DRAINAGE	
		<b>TOTAL</b>	
		<b>REMARKS:</b>	

## COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPT  
PLANNING DIVISION  
1101 EAST FIRST STREET  
SANFORD, FL 32771  
(407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

APPL.NO. BV2003-185

## APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

### APPLICATION TYPE:

- ☐ **VARIANCE** change 12 yard variance from 25ft to 13ft  
FOR SCREEN ROOM WITH ROOF.
- ☐ **SPECIAL EXCEPTION**
- ☐ **MOBILE HOME SPECIAL EXCEPTION**
- ☐ **EXISTING** ☐ **PROPOSED** ☐ **REPLACEMENT**
- MOBILE HOME IS FOR \_\_\_\_\_
- YEAR OF MOBILE HOME \_\_\_\_\_ SIZE OF MOBILE HOME \_\_\_\_\_
- ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_
- PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN \_\_\_\_\_
- MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO
- ☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Annabelle Sousa	
ADDRESS	1231 Madelena Ave	
	Winter Springs FL. 32708	
PHONE 1	407 977-5001	
PHONE 2	321-231-8484 cell	
E-MAIL		

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 1231 MADELENA AVE

CURRENT USE OF PROPERTY: RESIDENCE

LEGAL DESCRIPTION: SEE PROPERTY APPRAISER PAGE

SIZE OF PROPERTY: 0.350<sup>sq ft</sup> acre(s) PARCEL I.D. 19-21-31-5GM-0000-1850

UTILITIES: ☒ WATER ☐ WELL ☒ SEWER ☐ SEPTIC TANK ☐ OTHER see site plan

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on Jan 26, 04 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Annabelle Sousa  
SIGNATURE OF OWNER OR AGENT\*

7/26/12, 03  
DATE

\* Proof of owner's authorization is required with submittal if signed by agent.

K.F.

# ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

## APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

### PROCESSING:

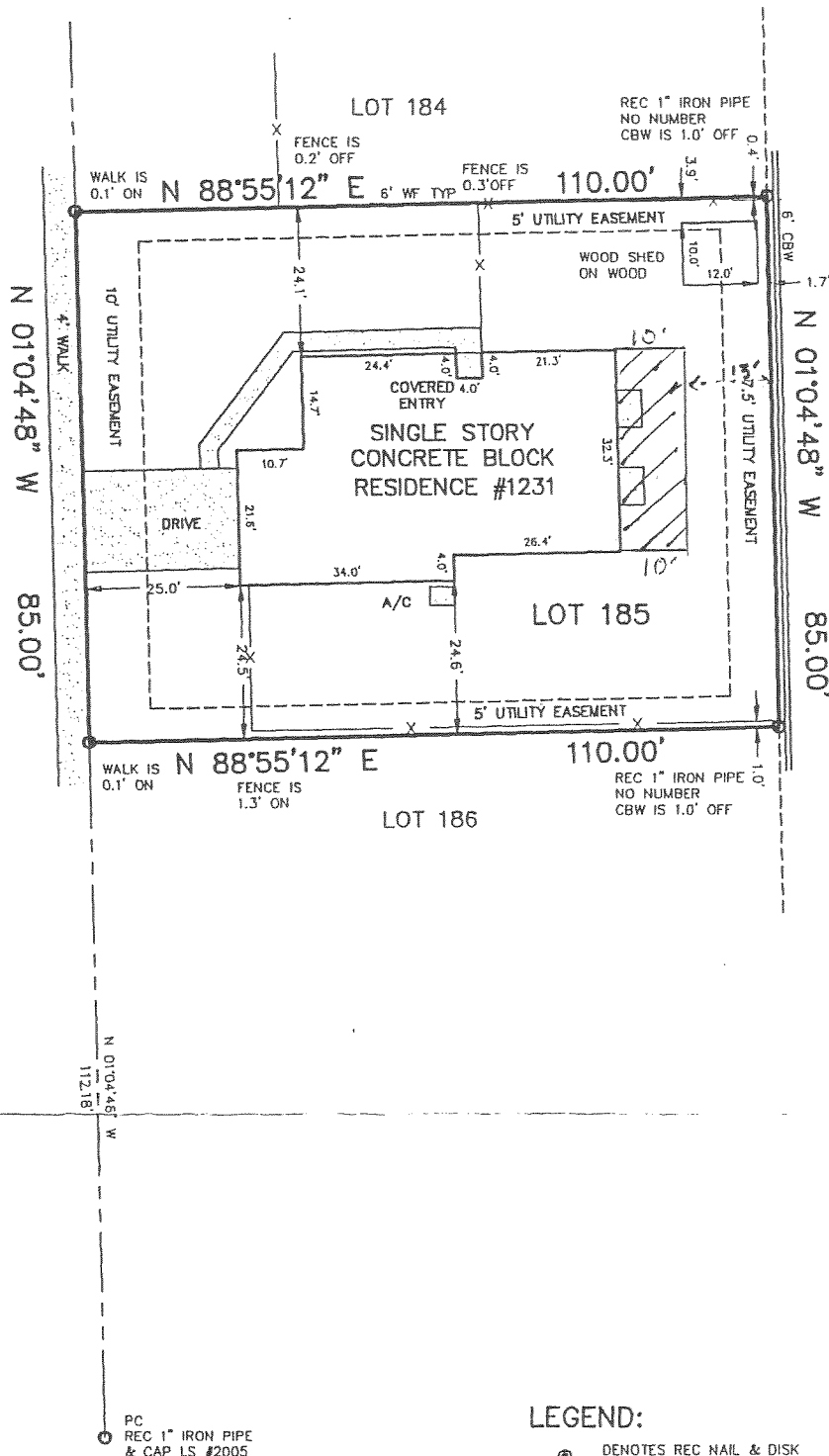
FEE: \$150 COMMISSION DISTRICT ? FLU/ZONING PD/PUD  
 LOCATION FURTHER DESCRIBED AS LOCATED ON THE EAST SIDE  
 OF MADEIRA APPROX. 320' SOUTH OF THE  
 INTERSECTION OF ORTEGA AND MADEIRA  
 PLANNER VB DATE 11/12/03  
 SUFFICIENCY COMMENTS OWNER WILL VERIFY DISTANCE  
 REQUIRED FROM REAR PROPERTY LINE.

LANIER

\* SYSTEM WAS DOWN - PLEASE VERIFY PUD REAR SETBACKS ON-LINE

LOT 185, SUNRISE UNIT TWO "C", ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 28, PAGE 43, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

MADELENA AVENUE  
50' PLATTED RIGHT-OF-WAY  
ASPHALT ROADWAY




TRACT C (BUFFER)

# LEGEND:

⊙	DENOTES REC NAIL & DISK LB #4596	LB	LAND SURVEYING BUSINESS
R	DENOTES RADIUS	LS	LAND SURVEYOR
Δ	DENOTES DELTA ANGLE	PRM	PERMANENT REFERENCE MONUMENT
L	DENOTES ARC LENGTH	PCP	PERMANENT CONTROL POINT
CB	CHORD BEARING	PI	POINT OF INTERSECTION
---	RIGHT OF WAY LINE	PT	POINT OF TANGENCY
(P)	PLATTED	PC	POINT OF CURVATURE
(M)	MEASURED	CLF	CHAIN LINK FENCE
REC	RECOVERED	WF	WOOD FENCE
		TYP	TYPICAL
		A/C	AIR CONDITIONER
		CBW	CONCRETE BLOCK WALL
		RP	RADIUS POINT

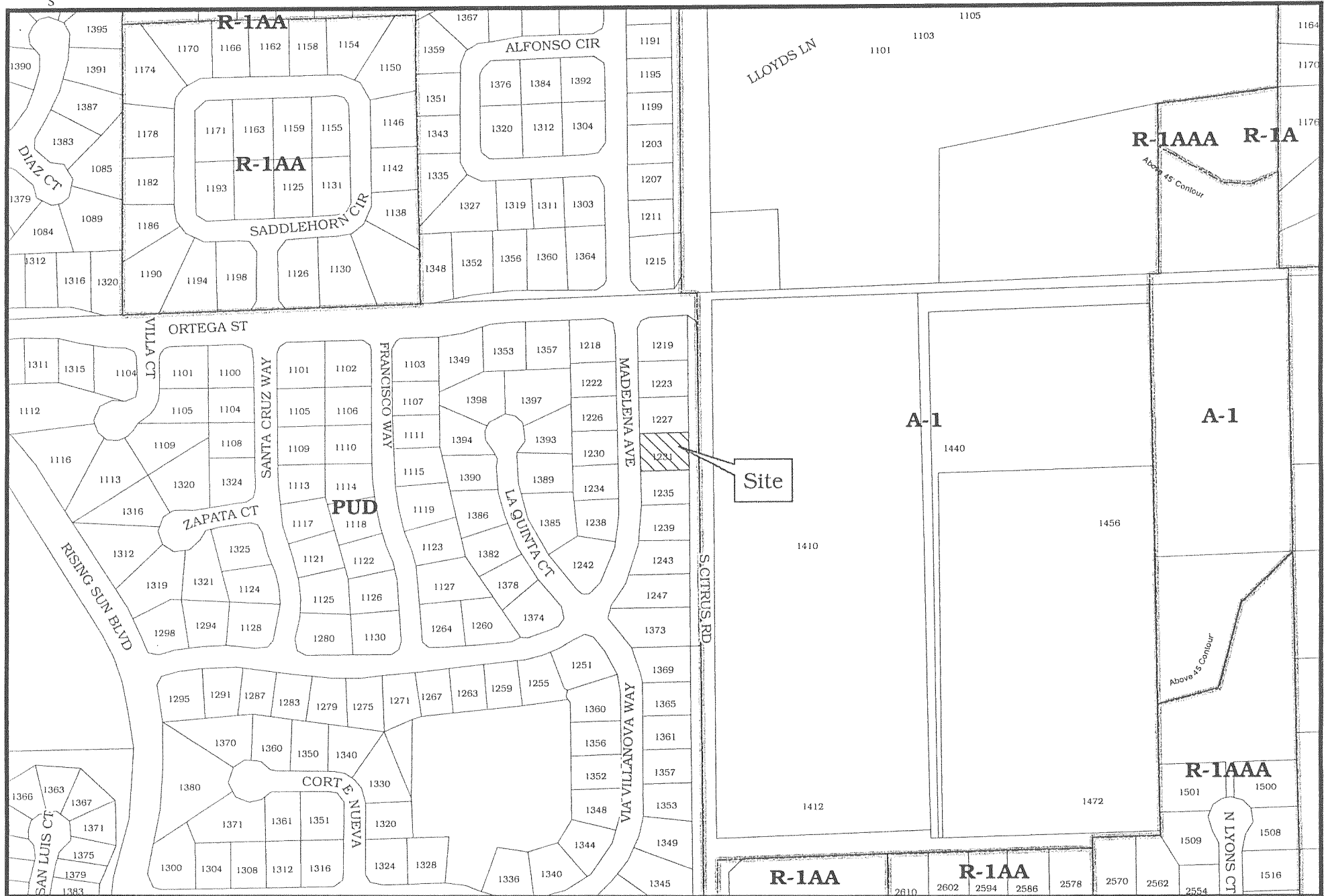
CERTIFIED TO:  
STEPHANIE A. SOUSA  
HOMEBANC MORTGAGE CORPORATION  
UNITED GENERAL TITLE INSURANCE COMPANY  
BUTLER, McDONALD, MOON & HOSCH

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	◀ ◁ Back ▷ ▶																																				
 <p><b>Seminole County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																									
<b>GENERAL</b> Parcel Id: 19-21-31-5GM-0000-1850      Tax District: 01-TX DIST 1 - COUNTY Owner: SOUSA ANNABELLE      Exemptions: 00-HOMESTEAD Address: 1231 MADELENA AVE City,State,ZipCode: WINTER SPRINGS FL 32708 Property Address: 1231 MADELENA AVE WINTER SPRINGS 32708 Subdivision Name: SUNRISE UNIT 2C Dor: 01-SINGLE FAMILY			<b>2004 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$70,808 Depreciated EXFT Value: \$0 Land Value (Market): \$18,000 Land Value Ag: \$0 Just/Market Value: \$88,808 Assessed Value (SOH): \$83,397 Exempt Value: \$25,000 Taxable Value: \$58,397																																						
<b>SALES</b> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>12/2000</td> <td>03984</td> <td>1190</td> <td>\$100,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1996</td> <td>03027</td> <td>1136</td> <td>\$82,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1990</td> <td>02150</td> <td>1234</td> <td>\$73,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1985</td> <td>01678</td> <td>0293</td> <td>\$71,500</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1983</td> <td>01501</td> <td>0286</td> <td>\$60,000</td> <td>Improved</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision			Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	12/2000	03984	1190	\$100,000	Improved	WARRANTY DEED	01/1996	03027	1136	\$82,000	Improved	WARRANTY DEED	02/1990	02150	1234	\$73,000	Improved	WARRANTY DEED	10/1985	01678	0293	\$71,500	Improved	WARRANTY DEED	11/1983	01501	0286	\$60,000	Improved	<b>2003 VALUE SUMMARY</b> 2003 Tax Bill Amount: \$968 2003 Taxable Value: \$56,442 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS		
Deed	Date	Book	Page	Amount	Vac/Imp																																				
WARRANTY DEED	12/2000	03984	1190	\$100,000	Improved																																				
WARRANTY DEED	01/1996	03027	1136	\$82,000	Improved																																				
WARRANTY DEED	02/1990	02150	1234	\$73,000	Improved																																				
WARRANTY DEED	10/1985	01678	0293	\$71,500	Improved																																				
WARRANTY DEED	11/1983	01501	0286	\$60,000	Improved																																				
<b>LAND</b> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>18,000.00</td> <td>\$18,000</td> </tr> </tbody> </table>			Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	18,000.00	\$18,000	<b>LEGAL DESCRIPTION PLAT</b> LEG LOT 185 SUNRISE UNIT 2C PB 28 PG 43																										
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																				
LOT	0	0	1.000	18,000.00	\$18,000																																				
<b>BUILDING INFORMATION</b> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1983</td> <td>6</td> <td>1,908</td> <td>1,404</td> <td>CB/STUCCO FINISH</td> <td>\$70,808</td> <td>\$76,965</td> </tr> <tr> <td colspan="3"></td> <td colspan="6">Appendage / Sqft      OPEN PORCH FINISHED / 20</td> </tr> <tr> <td colspan="3"></td> <td colspan="6">Appendage / Sqft      GARAGE FINISHED / 484</td> </tr> </tbody> </table>						Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1983	6	1,908	1,404	CB/STUCCO FINISH	\$70,808	\$76,965				Appendage / Sqft      OPEN PORCH FINISHED / 20									Appendage / Sqft      GARAGE FINISHED / 484					
Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																																	
1	SINGLE FAMILY	1983	6	1,908	1,404	CB/STUCCO FINISH	\$70,808	\$76,965																																	
			Appendage / Sqft      OPEN PORCH FINISHED / 20																																						
			Appendage / Sqft      GARAGE FINISHED / 484																																						
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																									

PuD



# Annabelle Sousa 1231 Madelena Ave.



0 150 300 600 Feet

# Sunrise Owners' Group, Inc.

## Exterior Improvement Approval Form

### Section 1: Name and Location

DO NOT USE BLUE INK

Name: Annabelle Sousa

Property Address: 1231 Madelena Ave

Lot: 185

Mailing Address:

Day Phone: 977-5001

City: Winter Springs

Zip: 32708

Eve. Phone: Same

### Section 2: Change Description (include all dimensions, materials, color, finish, location, etc.)

White aluminum screen room on back of house  
about 10' X 30' with cement slab floor.

### Section 3: Request For Approval

"I request approval to make the above changes. I understand that some types of changes require county permits and I will acquire any required permits prior to making the above changes."

Signed

Annabelle Sousa

Dated

6/2/2003

### Section 4: Approval or Denial



Approved.



Approved Subject To The Following:



Denied - Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Received:

Signed (SUNRISE ARC):

Debbie Brown A. Lindner

Instructions: Please fill out sections 1, 2 & 3. Attach a plot survey showing location of changes. If construction is to occur in an easement an additional form is also required. Changes must be completed within 120 days. For paint color changes, please attach "color chips" with the colors desired clearly marked (larger samples may be requested). We will return this form either approved or denied within 31 days from the day we receive it.

Please return this form and required information to:

Preferred Community  
Management Incorporated  
P.O. Box 677307  
Orlando, FL 32867

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On January 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 185 SUNRISE UNIT 2C, PB 28, PGS 43

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owners:** ANNABELLE SOUSA  
1231 MADELENA AVENUE  
WINTER SPRINGS, FL 32708

**Site Address:** 1231 MADELENA AVENUE

**Requested Development Approval:**

REAR YARD SETBACK VARIANCE FROM 25 FEET TO 13 FEET FOR A PROPOSED COVERED SCREEN ROOM ADDITION.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall  
1101 East First Street  
Sanford, Florida 32771

**Order****NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED COVERED SCREEN ROOM, AS DEPICTED ON THE ATTACHED SITE PLAN.

- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Matthew West  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Matthew West who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: